

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 13TH FEBRUARY 2007 / 24TH MAGHA 1928

Bail Appl..No. 773 of 2007

(CRIME NO.NOT KNOWN NEMOM POLICE STATION)

PETITIONER:

**BIJU, AGED 29 YEARS,
S/O.JANARDHANAN, CHARUVILA PUTHEN VEEDU,
PERINGAMALA, KALLIYOOR P.O., TRIVANDRUM.**

BY ADV. SRI.M.SHAJU PURUSHOTHAMAN

RESPONDENT: COMPLAINANT:

**STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM REPRESENTING THE SUB INSPECTOR OF
POLICE, NEMOM POLICE STATION.**

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 13/02/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

V. RAMKUMAR, J.

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B.A. No. 773 OF 2007 B
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Dated this the 13th day of February, 2007

O R D E R

The petitioner seeks anticipatory bail on the allegation that the Nemom police are at his heels for allegedly committing non-bailable offences.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor. The learned Public Prosecutor, on instructions, submitted that the petitioner is the first accused in Crime No.238/2005 of Nemom Police Station for offences punishable under sections 8(1) and 8(2) of the Abkari Act for allegedly having been found in joint possession of 1.5 litres of illicit arrack along with second accused on 26.5.2005.

3. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate concerned and files an application for regular bail, within two weeks from today, the same shall be considered and disposed of, preferably on the same date on which it is filed.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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